

1760 U.S. PRO  
09/03/03

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new non-provisional applications under 37 CFR 1.53(b))

Attorney Docket No. 1312.03

First Inventor or Application Identifier: SHATTUCK

Title of Invention: OBESITY GENE AND USE THEREOF

Express Mail Label No. EV 328160650 US

ADDRESS TO: **MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Donna Shattuck, Steven Stone, Deanna Russell, Victor Abkevich, Steven Hunt

1.  The Filing Fee has been calculated as shown below:

No. Filed	No. Extra	Small Entity Rate	Large Entity Rate
<b>BASIC FEE</b>		\$375.00	\$750.00
TOTAL CLAIMS: 20 - 20 = 0		X 9 = \$	0 X 18 = \$0
INDEP CLAIMS: 3 - 3 = 0		X 42 = \$	0 X 84 = \$0
[ <input type="checkbox"/> ] MULTIPLE DEPENDENT CLAIMS PRESENTED		+140 = \$	+280 = \$0
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL \$	TOTAL \$750.00

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1627.

- a.  Fees required under 37 CFR 1.16 (National filing fees).
- b.  Fees required under 37 CFR 1.16 (National application processing fees).
- A check in the amount of \$ \_\_\_\_\_ for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.

2.  Specification; 67 Total Pages

3.  1 Sheets of Formal Drawing(s) (35 USC 113)

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10/655543  
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4.  Declaration and Power of Attorney; *[Total Pages \_\_\_\_\_]*  
a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 16 completed)*  
i.  DELETION OF INVENTOR(S) Signed  
statement attached deleting inventor(s) named  
in the prior application, see 37 CFR 1.63(d)(2)  
& 1.33(b).

5.  Microfiche Computer Program (Appendix)

6.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
a.  Computer Readable Copy  
b.  Paper Copy (identical to computer copy)  
c.  Statement verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

7.  Assignment Papers (cover sheet & document(s) (including a check for the  
\$40.00 fee)

8.  37 CFR 3.73(b) Statement (*when there is an assignee*);  Power of Attorney

9.  English Translation Document (*if applicable*)

10.  Information Disclosure Statement (IDS)/PTO-1449; \_\_\_\_\_ Copies of IDS Citations

11.  Preliminary Amendment

12.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)

13.  Applicants hereby claim small entity status under 37 CFR 1.27.

14.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
Foreign Priority is

15.  Other: 2 Initial Information Data Sheet

16.  Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i).

17.  If a **CONTINUING APPLICATION**, check appropriate box and supply the information below and in a preliminary amendment:

Continuation       Divisional       Continuation in Part (CIP)  
of prior Application No: \_\_\_\_\_; Filed

Prior Application Information: Examiner                          Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. the incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18.  **CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label    **26698**

Attention Of: Herbert L. Ley III, Ph.D.



Signature:

Attorney/Agent of Record: Herbert L. Ley III, Ph.D.

Attorney/Agent Registration No. 53,215

Tel: (801) 584-3600

Fax: (801) 883-3871

Intellectual Property Department  
**MYRIAD GENETICS, INC.**

320 Wakara Way

Salt Lake City, UT 84108

“Express Mail” mailing label number EV 328160650 US

Date of Deposit: September 3, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Herbert L. Ley III, Ph.D.

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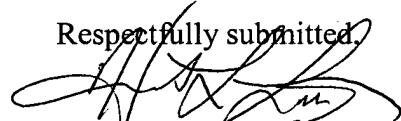
<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Donna SHATTUCK
	Title	OBESITY GENE AND USE THEREOF
	Atty Docket Number	1312.03

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application **not be published** under 35 U.S.C. 122(b).

September 3, '03

Date

Respectfully submitted,  


Herbert L. Ley III, Ph.D.  
Registration No. 53,215

Intellectual Property Department  
**Myriad Genetics, Inc.**  
 320 Wakara Way  
 Salt Lake City, UT 84108  
 Telephone: 801-584-3600  
 Fax: 801-883-3871

"Express Mail" mailing label number: EV 328160650 US  
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Herbert L. Ley III, Ph.D.